

Notice of Allowability

Application No.

09/812,833

Examiner

Ly V. Hua

Applicant(s)

HAMID ET AL.

Art Unit

2135

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-24
3. ☐ The drawings filed on ____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.


THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____


Ly V. Hua
Primary Examiner
Art Unit: 2135

Art Unit: 2135

Reason for Allowance

1. Claims 1-24 are allowed
2. The prior art of record fail to teach or suggest, with regard to claims 1 and 2, portable biometric device, which is:
 - a. for use
 - i. by a designated person
 - ii. in combination
 - (1) with
 - (a) a device or
 - (b) service
 - (i) accessible
 - 1) via at least one of a plurality of unique access,
 - b. comprising:
 - i. a biometric sensor
 - (1) for reading
 - (a) a biometric characteristic
 - (i) of a person
 - (ii) dependent upon
 - 1) the person
 - a) presenting
 - i) said biometric characteristic
 - ii) to the biometric sensor;
 - ii. a digital encoder
 - (1) for encoding
 - (a) a reading of the biometric characteristic,
 - (i) from the biometric sensor,
 - (b) to provide
 - (i) an encoded description of the biometric characteristic;
 - iii. a processor
 - (1) responsive to the encoded description of the presented biometric characteristic
 - (2) for
 - (a) determining
 - (i) if the biometric characteristic
 - (ii) is pre-designated for accessing a device or service, and if so,
 - (b) selecting
 - (i) the authorization code
 - 1) for accessing said device or service;
 - iv. a wireless transceiver
 - (1) for transmitting
 - (a) the selected authorization code;
 - c. whereby
 - i. said designated person,
 - (1) exclusive of an other person,
 - (2) is able to choose
 - (a) which device or service of a plurality of devices and/or services to access
 - (b) by providing
 - (i) different biometric characteristics.

Art Unit: 2135

3. With regard to claims 3 and 4, the prior art of record fail to teach or suggest the prior art of record fail to teach or suggest a portable biometric device
 - a. for use by a person
 - i. having been designated
 - (1) with predefined data
 - (a) corresponding to biometric characteristics of the person, and
 - (b) stored
 - (i) in a central controller,
 - 1) wherein the central controller is operative
 - a) for selectively accessing
 - i) any one of a plurality of devices and/or services,
 - ii) exclusive of any other one of the plurality of the devices and/or services,
 - b) for permitting
 - i) access to said device or service
 - ii) in response to receiving a signal being representative of one of the biometric characteristics of the designated person,
 - b. the portable biometric device comprising:
 - i. a biometric sensor
 - (1) for reading
 - (a) a biometric characteristic
 - (i) having been chosen and made
 - 1) available for reading
 - 2) by a person;
 - ii. a digital encoder
 - (1) for encoding
 - (a) a reading of the biometric characteristic, from the biometric sensor,
 - (b) to provide
 - (i) an encoded description of the biometric characteristic;
 - iii. a processor
 - (1) for encrypting
 - (a) the encoded description to provide an encrypted description in accordance with a predefined encryption key;
 - iv. a wireless transceiver
 - (1) for transmitting the encrypted description to the central controller;
 - c. whereby
 - i. the central controller
 - (1) is responsive
 - (a) to the biometric characteristic
 - (i) having been made
 - 1) available to the biometric sensor
 - 2) by said designated person
 - 3) for accessing one
 - a) of the devices or services,
 - i) said one device or service associated with the biometric characteristic and
 - d. wherein
 - i. another device or service from the plurality of devices and/or services
 - (1) is associated with another different biometric characteristic.

Art Unit: 2135

4. With regard to claims 5 and 6, the prior art of record fail to teach or suggest a method
 - a. for permitting access to functions of at least a device,
 - b. comprising the steps of:
 - i. assigning
 - (1) a plurality of different biometric characteristics of a person,
 - (a) each to different access codes,
 - (i) an access code relating to a function of the at least one device;
 - ii. providing
 - (1) to a portable biometric device
 - (a) operable
 - (i) to read
 - 1) a biometric characteristic presented thereto and
 - (ii) to provide
 - 1) biometric data
 - a) based on a read biometric characteristic,
 - i) a biometric characteristic of an individual;
 - iii. processing
 - (1) the biometric data
 - (2) to determine
 - (a) an access code associated therewith;
 - iv. transmitting
 - (1) an information signal of the access code
 - (2) via wireless transmission
 - (3) to the device; and,
 - (4) in response to receipt of the information signal including the access code performing the function on the device.

Art Unit: 2135

5. With regard to claims 7 and 8, the prior art of record fail to teach or suggest a method
 - a. for permitting access to functions of a device,
 - b. comprising the steps of:
 - i. assigning
 - (1) a plurality
 - (a) of different biometric characteristics
 - (i) of a person,
 - (b) each to different access codes,
 - (2) an access code
 - ii. providing
 - (1) a biometric characteristic of an individual
 - (2) to a portable biometric device
 - (a) operable
 - (i) to read
 - 1) a biometric characteristic presented thereto and
 - (ii) to provide
 - 1) biometric data based on a read biometric characteristic;
 - iii. processing
 - (1) the biometric data
 - (2) to provide security data;
 - iv. transmitting
 - (1) an information signal of the security data
 - (2) via wireless transmission
 - (3) to the device; and,
 - v. in an instance wherein information signal is representative of security data corresponding to one of the assigned ones of the plurality of biometric characteristics,
 - (1) causing
 - (a) the respective function
 - (b) to be executed on the respective device.

Art Unit: 2135

6. With regard to claims 9-14, the prior art of record fail to teach or suggest a portable biometric device,
 - a. for use
 - i. by a designated person
 - ii. in combination
 - (1) with a secure entity and or a secure service,
 - (a) which is accessible
 - (i) via a plurality of portals,
 - 1) each of which is exclusively operable in response to a corresponding authorization code,
 - b. comprising:
 - i. a biometric sensor
 - (1) for reading
 - (a) a biometric characteristic of a person
 - (b) dependent upon the person presenting said biometric characteristic to the biometric sensor;
 - ii. a digital encoder
 - (1) for encoding
 - (a) a reading of the biometric characteristic, from the biometric sensor,
 - (b) to provide an encoded description of the biometric characteristic;
 - iii. a processor
 - (1) responsive to the encoded description of the presented biometric characteristic
 - (2) for
 - (a) determining
 - (i) if the biometric characteristic is pre-designated for access via a pre-designated one of the plurality of portals, and if so,
 - (b) selecting
 - (i) the authorization code for unlocking said pre-designated one of the portals;
 - iv. a wireless transceiver
 - (1) for transmitting
 - (a) the selected authorization code
 - (b) to the secure entity and or service;
 - c. whereby
 - i. said designated person,
 - (1) exclusive of an other person,
 - (2) is able to choose which of the plurality of portals is to be unlocked for their access.

Art Unit: 2135

7. With regard to claims 15-17, the prior art of record fail to teach or suggest a portable biometric device
 - a. for use
 - i. by a person
 - (1) having been designated
 - (a) with predefined data
 - (i) corresponding to biometric characteristics of the person, and
 - (ii) stored in a central controller
 - 1) wherein the central controller is operative
 - a) for selectively unlocking
 - i) any one of a plurality of portals,
 - ii) exclusive of any other one of the plurality of portals,
 - iii) for permitting access into and or egress from a secure entity in response to receiving a signal being representative of one of the biometric characteristics of the designated person,
- b. the portable biometric device comprising:
 - i. a biometric sensor
 - (1) for reading
 - (a) a biometric characteristic
 - (i) having been chosen and made available for reading
 - 1) by a person;
 - ii. a digital encoder
 - (1) for encoding
 - (a) a reading of the biometric characteristic, from the biometric sensor,
 - (b) to provide an encoded description of the biometric characteristic;
 - iii. a processor
 - (1) for processing
 - (a) the encoded description
 - (b) to provide secure data relating to the encoded description;
 - iv. a wireless transceiver
 - (1) for transmitting
 - (a) the secure data
 - (b) to the central controller;
 - c. whereby
 - i. the central controller
 - (1) is responsive to the biometric characteristic having been made available to the biometric sensor by said designated person
 - (2) for unlocking one of the portals.

Art Unit: 2135

8. With regard to claim 18, the prior art of record fail to teach or suggest a security system
 - a. for securing
 - i. an entity and or a service
 - ii. from indiscriminate access,
 - b. the security system comprising:
 - i. a central controller
 - (1) for permitting
 - (a) access,
 - (i) via a portal of a plurality of portals,
 - (ii) to the secure entity and or service,
 - (b) contingent upon a representation
 - (i) of a biometric characteristic
 - 1) having been transmitted thereto and
 - 2) substantially matching
 - a) with a pre-registered data,
 - i) of a plurality of pre-registered data being representative of biometric characteristics including said transmitted biometric characteristic, and,
 - (2) for selecting,
 - (a) from within said plurality of portals,
 - (b) a portal being associated with said matched pre-registered data; and
 - ii. at least one portable biometric device
 - (1) including
 - (a) a wireless transmitter
 - (i) for transmitting
 - 1) a representation of a biometric characteristic having been made available by a person;
 - c. whereby
 - i. a designated person
 - (1) is permitted
 - (a) entry and or egress
 - (i) via the selected portal
 - (b) in accordance with having made the designated biometric characteristic available to portable biometric device.

Art Unit: 2135

9. With regard to claims 19 and 20, the prior art of record fail to teach or suggest a security system
 - a. for securing
 - i. an entity and or a service
 - ii. from indiscriminate access,
 - b. the security system comprising:
 - i. a plurality of portals
 - (1) each being locked
 - (a) by a respective one of a plurality of locks,
 - (i) each lock being
 - 1) exclusively responsive to reception of one of a plurality of authorization codes
 - 2) for unlocking the portal;
 - ii. at least one portable biometric device
 - (1) comprising:
 - (a) a biometric sensor
 - (i) for reading
 - 1) a biometric characteristic of a person
 - a) dependent upon the person presenting said biometric characteristic to the biometric sensor;
 - iii. a digital encoder
 - (1) for encoding
 - (a) a reading of the biometric characteristic, from the biometric sensor,
 - (b) to provide an encoded description of the biometric characteristic;
 - iv. a processor
 - (1) responsive to the encoded description of the biometric characteristic
 - (2) for
 - (a) determining
 - (i) if the biometric characteristic is one of a similar plurality of biometric characteristics pre-designated for access via respective one of the plurality of portals,
 - and if so,
 - (b) selecting
 - (i) the authorization code
 - 1) for unlocking said pre-designated one of the portals;
 - v. a wireless transceiver
 - (1) for transmitting data;
 - c. wherein
 - i. one
 - (1) of
 - (a) the encoded description of the biometric characteristic and
 - (b) the selected authorization code
 - (2) is f
 - (a) or transmission
 - (i) via the wireless transceiver, and
 - d. whereby
 - i. upon
 - (1) presentation
 - (a) of the pre-designated biometric characteristic
 - (i) associated with a portal
 - ii. a receiver
 - (1) associated with which is within range of the wireless transceiver,
 - (2) the portal is unlocked.

Art Unit: 2135

10. With regard to claim 21, the prior art of record fail to teach or suggest a method
 - a. for providing
 - i. access
 - (1) to a secure entity or service
 - (2) by a designated person,
 - (3) via one of plurality of portals,
 - (a) each of which functions
 - (i) to open
 - (ii) in response to a unique authorization signal,
 - b. the method comprising the steps of:
 - i. initiating
 - (1) a portable biometric device
 - (2) with a plurality of predefined data representative of a plurality of biometric characteristics,
 - (a) each of which is associated
 - (i) with a unique authorization code designated for access via a respective one of the plurality of portals;
 - ii. capturing
 - (1) biometric information of an individual representative of a biometric characteristic
 - (2) in response a person presenting said information to the portable biometric device;
 - iii. comparing
 - (1) the captured biometric information
 - (2) with said plurality of predefined data and;
 - iv. if a substantial match with a one of the predefined data is detected,
 - (1) transmitting
 - (a) the unique authorization code
 - (i) from the portable biometric device,
 - (b) whereby
 - (i) the respective portal
 - 1) is unlocked
 - 2) exclusive of any other portal in the plurality of portals.

11. With regard to claims 22-24, the prior art of record fail to teach or suggest a method
 - a. for permitting
 - i. entry and or egress
 - ii. exclusively
 - iii. via one of a plurality of portals of a secure entity and or a secure service,
 - b. comprising the steps of:
 - i. providing
 - (1) each person
 - (a) in a population of designated persons
 - (2) with a portable biometric device
 - (a) operable to read a biometric characteristic presented thereto;
 - ii. assigning
 - (1) a plurality of biometric characteristics of each designated person
 - (2) to respective portals of the plurality of portals; and
 - iii. subsequently, dependent upon a designated person presenting their portable biometric device with a biometric characteristic,
 - (1) transmitting
 - (a) a wireless information signal; and
 - (2) causing,
 - (a) in an instance
 - (1) wherein
 - 1) the wireless information signal
 - a) is
 - i) representative of information
 - b) corresponding substantially to
 - i) one of the assigned ones of the plurality of biometric characteristics,
 - b) the respective portal to be exclusively available for entry and/or egress.

Art Unit: 2135

12. Applicant's Figure 6 was submitted in informal form. Formal drawing is requested of and to be submitted by the Applicant.
13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.
14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ly V. Hua whose telephone number is (703) 305-9684. The examiner can normally be reached on Monday to Friday from 9:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vu Kim, can be reached on 703-305-4303. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

15. The applicant is hereby notified that:
 - a. TC 2100 will be moved to Carlyle in October 2004.
 - b. The new phone number for TC 2100 receptionist is (571) 272-2100.
 - c. The examiner's new contact phone number will be (571) 272-3853.



Ly V. Hua
Primary Examiner
Art Unit 2135

Lvh

September 30, 2004